



**Office of the Attorney General
State of Texas**

DAN MORALES
ATTORNEY GENERAL

February 5, 1997

Ms. Suzanne Schwartz
General Counsel
Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711-3231

OR97-0247

Dear Ms. Schwartz:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 103630.

The Texas Water Development Board (the "Board") received a request for information pertaining to the Lake Livingston Water Supply and Sewer Service Corporation and East Texas Hydro Technology, Inc., D/B/A/ Oakridge Water Company D/B/A/ Pine Springs Utilities. You assert that nine memos are excepted from required public disclosure based on Government Code section 552.107(1).

Section 552.107(1) states that information is excepted from required public disclosure if

it is information that the attorney general or an attorney of a political subdivision is prohibited from disclosing because of a duty to the client under the Texas Rules of Civil Evidence, the Texas Rules of Criminal Evidence, or the Texas Disciplinary Rules of Professional Conduct.

This exception applies to information that reveals attorney advice and opinion or client confidences. *See* Open Records Decision No. 574 (1990). We have reviewed the information for which you claim section 552.107(1) and conclude that the Board may withhold the information from public disclosure based on section 552.107(1) of the Government Code.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Kay Guajardo', written over a horizontal line.

Kay Guajardo
Assistant Attorney General
Open Records Division

KHG/rho

Ref.: ID# 103630

Enclosures: Marked documents

cc: Mr. James D. Braddock
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